

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
EASTERN DIVISION

UNITED STATES OF AMERICA,

v.

CORNELIUS DONAL TURNER

)
)
) CASE NO. 3:05CR287-MEF
)
)

ORDER

In his motion to suppress (Doc. # 15) filed on 25 January 2006, the defendant, after providing a general introduction to the law of searches and seizures, includes the following two legal conclusions without providing any rationale or legal support therefor:

- (1) Before Deputy Sanders next asked Mr. Turner if there were any weapons in the car . . . he should have advised Mr. Turner of his Miranda rights.
- (2) Further, the statement that Mr. Turner provided to Investigator McCain when he was questioned at the Jail [sic] is also tainted as “fruit of the poisonous tree.” The fact that Investigator McCain advised Mr. Turner of his rights does not cure the taint, because Investigator McCain failed to give Mr. Turner a **cleansing statement that informed Mr. Turner that any earlier unwarned incriminating statements and any evidence seized could not be used against him.**

(Doc. # 15, ¶¶ 20, 21) [Emphasis supplied].

While the court appreciates the defendant's faith in the court's ability to retain the details of volumes of constitutional criminal law cases, it questions the wisdom of relying solely on this knowledge without providing any guidance whatsoever toward the legal authority that supports his contentions. It is the responsibility of the parties, not the court,

to perform the legal research necessary to resolve the issues they raise, and the court may not serve as legal counsel by shoring up the defendant's unsupported conclusions.

Therefore, it is hereby

ORDERED that on or before 28 March 2006, the defendant shall submit a memorandum of law addressing narrowly the aforementioned issues and shall within that memorandum cite to the specific, relevant legal authority informing the defendant's rationale. It is not necessary to recite the general propositions already set forth in the defendant's motion, and the brief should not exceed 15 pages in length, double-spaced, with a font size no smaller than 12 points. It is further

ORDERED that the government shall file its reply brief, if so inclined, within 7 days after the defendant files his brief, keeping in mind the admonishments set forth in this order.

DONE this 17th day of March, 2006.

/s/ Vanzetta Penn McPherson
VANZETTA PENN MCPHERSON
UNITED STATES MAGISTRATE JUDGE